

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DANA LYON,	§
Plaintiff,	§
VS.	§
KOHLER COMPANY,	§
Defendant/Third Party Plaintiff,	§ CIVIL ACTION NO. H-04-3533
VS.	§
WATTS WATER TECHNOLOGIES, INC.,	§
Defendant/Third Party Plaintiff,	§

MEMORANDUM AND ORDER

Pending before the Court is Watts Water Technologies, Inc.'s ("Watts") notice of nonsuit as to Kohler Company ("Kohler"). The notice, Docket No. 54, is unopposed and is therefore **GRANTED**. All of Watts's claims against Kohler are hereby **DISMISSED WITHOUT PREJUDICE TO REFILING**. Kohler's motions to dismiss and to quash subpoenas are hereby **DENIED AS MOOT**.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 19th day of April, 2006.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.